

PLANNING COMMISSION REPORT



MEETING DATE: October 22, 2003 ITEM NO. _____ GOAL: Preserve the character and environment of Scottsdale

SUBJECT

Cattletrack Ranch

REQUEST

To rezone from Single Family Residential District (R1-43 & R1-35) to Single Family Residential District, Planned Residential Development District (R1-35 PRD) with amended development standards on a 5.5 +/- acre parcel located at the Southwest corner of Cattletrack/Miller Road and Lincoln Drive.

12-ZN-2003

Key Items for Consideration:

- This proposal has been recently revised to address neighborhood concerns.
- The original General Plan amendment requests have been withdrawn.
- The zoning request will increase the number of lots allowed from 5 to 7.
- Amended development standards are proposed.
- Landscaped setbacks and walls are proposed along streets.
- The impacts on traffic and infrastructure will be negligible.

OWNER

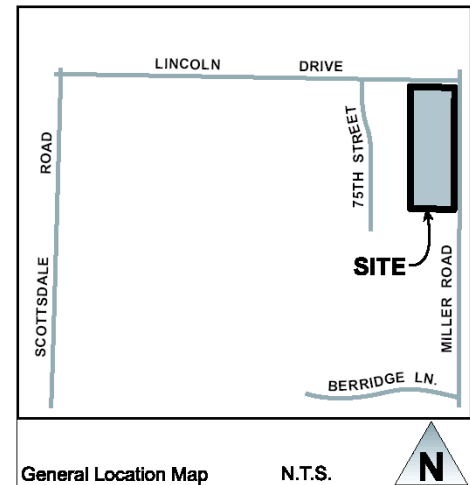
Diann Henderson; AMZ Homes &
Alexander Zink
480-609-8850

APPLICANT CONTACT

Lynne Lagarde
Earl Curley & Lagarde P C
602-265-0094

LOCATION

Southwest corner of Lincoln &
Cattletrack



BACKGROUND

Zoning.

The site is zoned Single Family Residential District (R1-43 and R1-35); 43,000 sq.ft. minimum lot sizes and 35,000 sq.ft. minimum lot sizes respectively. These zoning districts allow for single-family homes, as well as churches and schools. Private schools require approval of a conditional use permit.

General Plan.

The General Plan Land Use Element designates the property as Rural Neighborhoods. This category includes areas of relatively large lot single-family neighborhoods. Densities in Rural Neighborhoods are usually one house per one acre (or more) of land.

The General Plan Character and Design Element was adopted in 2000 as part of the General Plan update. The Character and Design Element designates the property as Rural Character Type. These areas generally contain relatively low-density and large lot development, provide a rural lifestyle that includes preservation of the desert character, building low profile structures, discouraging walls, and limiting road access.

Context.

This property is located within an established rural enclave of approximately seventy (70) acres surrounded by more intense development. The immediate surrounding area to the east, west, and south of this property are designated Rural Neighborhoods and Rural Character by the General Plan. These neighborhoods are zoned R1-43 and R1-35 Districts with lots generally greater than 35,000 square feet in size. This area has an open rural character with large lots and setbacks.

The neighborhood on the north side of Lincoln Drive is designated Suburban Neighborhoods, and is zoned R1-5/PRD. The north side of Lincoln generally has a suburban character with smaller lots with perimeter walls and common open space.

**APPLICANT'S
PROPOSAL****Application Revisions**

As a result of neighborhood concerns, the applicant has revised this development application several times. This application originally requested to amend both the General Plan Land Use Element and the General Plan Character and Design Element for 17 acres and rezone 5.5 of those acres to R1-18/PRD to construct 10 lots. The applicant reduced the size of the General Plan amendment from 17 acres to 5.5 acres, has changed the rezoning proposal from R1-18/PRD to R1-35/PRD, and has reduced the proposed new number of lots on the 5.5 acres to 7 lots. The rezoning change to R1-35/PRD and the site plan change eliminate the need to amend the General Plan Land Use Element and the General Plan Character and Design Element.

Current Application.

The current application proposes the following:

- Rezone the property from R1-43 and R1-35 to R1-35/PRD to allow 7 lots on the 5.5 acres; and
- Use the Planned Residential Development District (PRD) to increase the base density from 1.05 homes per acre to 1.167 homes per acre, and to amend the development standards pertaining to lot sizes and setbacks. Setbacks abutting the R1-35 lots to the east and south will be 35 feet.

The applicant proposes to justify the density increase and amended development standards by providing an innovative site development plan with the following:

- Limiting access to Miller/Cattletrack Road by using shared driveways
- Providing external open space as an amenity along the streets
- Reducing the maximum building height to one story (24 feet)
- Maintaining a 35-foot setback adjacent to the existing R1-35 District
- Providing pedestrian paths along the streets.

Development information.

- *Parcel Size:* 6 gross acres (5.5 net acres)
- *Existing Use:* Vacant lots
- *Existing Density Allowed:* 1.05 home per gross acre (6 homes)
- *Proposed Density:* 1.167 homes per gross acre (7 homes)
- *Existing Lot Sizes Allowed:* 35,000 square feet minimum
- *Proposed Lot sizes:* 26,000 square feet minimum
39,000 square feet maximum
31,500 square feet average
- *Building Height Allowed:* 30 feet
- *Proposed Building Height:* 24 feet (one story)

IMPACT ANALYSIS

The proposed R1-35/PRD District is consistent with the General Plan. The increased density and the amended development standards allowed by the Planned Residential Development District (PRD) create a development plan that provides relatively large lots, low profile buildings, limited access, and open space along the streets. Walls are generally discouraged in rural character areas, therefore the proposed 6-foot tall walls along the streets should be minimized by setting the walls back from the streets, meandering the walls, and limiting the size of the walls (height and length).

Traffic.

Cattletrack (Miller Road alignment) is classified as a minor collector between McDonald Drive and Lincoln Drive on the City's Circulation Element of the General Plan. The proposed Streets Master Plan does not identify it as a major street (minor collector or greater). The street is constructed to two lanes, one lane each direction, with turn lanes at its intersections with McDonald Drive and Lincoln Drive. The intersection of Cattletrack and McDonald Drive is signalized.

Traffic volumes were collected on August 13, 2003. The data indicates that the daily traffic volume was 1,836 vehicles. The average speed was 33 miles per hour; the 85th percentile speed was 40 miles per hour. These volumes and speeds are consistent with a local collector street. Minor collector streets are typically designed to accommodate traffic volumes greater than 5,000 vehicles per day. Cattletrack does have direct residential driveways along it, although these are limited in number due to the large lot, low-density character of the adjacent property.

The proposed development plan would increase the potential number of residential lots from five to seven. Traffic generated by this increase in two lots would be approximately 19 daily vehicle trips.

Eliminating the direct access from residential lots reduces the number of conflict points along Cattletrack. The addition of 19 daily trips will not impact the level of service on Cattletrack. Eliminating the direct residential driveways on collector streets is generally supported; however it will not likely have a measurable impact on Cattletrack.

Water/Sewer.

The water supply service for this property is from the town of Paradise Valley, and the sewer service is through the City of Scottsdale. The applicant is responsible for new water and sewer infrastructure to service the site, and would extend existing lines in the adjacent streets.

Police/Fire.

The increase from 5 lots to 7 lots will not impact police or fire services.

Schools District comments/review.

The Scottsdale Unified School District has been notified of this application, and the District indicates it has adequate facilities to accommodate the projected number of additional students generated by the proposed rezoning.

Community involvement.

The applicant has contacted surrounding property owners and has held multiple open houses to receive community input. As a result of the community input, the applicant has modified the development proposal multiple times to its current 7-lot proposal. There have been no comments on the current proposal.

Comments received from neighbors from the previous proposals indicate they wish to preserve the existing rural character. (see Attachment #8)

Community Impact.

The change to allow 7 lots instead of 5 lots will have little or no impact on existing infrastructure or services. The proposed development plan maintains the rural character of the area by providing relatively large lots, low profile buildings, limited access, and open space along the streets.

Key Issues.

- The R1-35/PRD District is consistent with the surrounding area
- Walls along the street should be minimized

PLANNING
COMMISSION

On August 20, 2003, the Planning Commission held a remote hearing on the proposed General Plan amendments. Citizens expressed concerns about the proposal diminishing the existing rural character and lifestyle of the area. Concerns were also expressed about the possibility of large 2 and 3 story homes looking down at the existing homes, and that better pedestrian and bicycle connections were needed along Miller/Cattletrack.

On September 10 and 24, 2003, this case was continued to allow the applicant revise the application to address neighborhood concerns.

STAFF RECOMMENDATION Staff recommends approval of the rezoning to the R1-35/PRD District, subject to the attached stipulations.

RESPONSIBLE DEPT(S) **Planning and Development Services Department**
Current Planning Services/Planning and Design Division

STAFF CONTACT(S) Tim Curtis
Project Coordination Manager
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E-mail: tcurtis@ScottsdaleAZ.gov

APPROVED BY

Tim Curtis
Report Author

Randy Grant
Chief Planning Officer

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Land Use Map
4. Existing Zoning Map
- 4A. Proposed Zoning Map
5. Stipulations
6. Additional Information
7. Proposed Amended Development Standards
8. Citizen Involvement
- 8A. City Notification Map
9. August 20, 2003 Planning Commission Remote Site Minutes
10. Site Plan

REVISED
REZONING PROJECT NARRATIVE
CATTLETRACK RANCH
Revised October 16, 2003

Request

This is a request for rezoning from R1-35 and R1-43 to R1-35 Planned Residential District (PRD) on a 6.02± acre (gross) residential infill property located at the southwest corner of Cattletrack and Lincoln. The purposed R1-35 PRD zoning would allow 7 homes on the 6.02± acre site at a density of approximately 1.16 dwelling units per acre.

Neighborhood Context

The property is surrounded by vacant and older non-subdivided residential development and the Arizona Canal on the east, water company facilities and arts/special campus uses to the southeast, as well as acre lot development to the south, an acre lot subdivision to the west and the townhome developments of 7600 Lincoln and Lincoln Place to the north and northwest. The included property is either vacant or developed with older homes in need of refurbishment.

The subdivision to the west was developed approximately 30 years ago and 7600 Lincoln approximately 10 years ago. With the establishment of the Cultural Institutional designation on the Cattletrack Ranch arts district area in the 90s, the subject 6.02± acre property was left as part of a small remnant area in need of redevelopment to complement the changed circumstances to the north and south.

At the edge, but not really part of, the residential neighborhood to the west and separating that neighborhood from the increasing traffic impacts of Cattletrack, the 6.02± acre parcel has proven difficult in attracting the reinvestment in redevelopment that the area needs. The narrowness of the property between Cattletrack and the canal to the east has also made its redevelopment extremely problematic. The primary obstacles to attracting reinvestment in this intersection area are the increasing traffic on Lincoln and Cattletrack and the resistance of homebuyers to front onto a heavily traveled street with its accompanying safety hazards, difficulty of driveway access and noise impacts.

The rezoning request offers the opportunity for single family homes which do not have to front onto Cattletrack and can be located instead with side yards on Cattletrack and Lincoln. This shift in home positioning relative to Cattletrack and Lincoln is critical to attracting reinvestment in the area and cannot be accomplished without this proposed rezoning.

Conformance to the General Plan

Scottsdale's General Plan document itself provides guidance to its use in circumstances such as these at the Cattletrack-Lincoln intersection:

Rezoning Project Narrative

Cattletrack and Lincoln

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The General Plan represents goals and policies to guide the community over a 20 to 25 year period.... There is a natural tendency to presume that the Plan as adopted will be applied in its entirety with minimal change over that period of time. But, such rigid application would not be responsive to the natural changes and unforeseen opportunities that arise in a community as dynamic as Scottsdale. Making long-range decisions means that issues need to be periodically readdressed to reflect new or emerging circumstances.

As with any flexible policy document, there is room for interpretation on the policies and goals contained in these elements, and flexibility is needed to meet the overall objectives. (pp. 11-12)

The General Plan also states that it is designed to be “a broad, flexible document that changes as the community needs, conditions and direction change.” (p. 17) One of the areas in which changed conditions and community needs has surfaced and will continue to surface more and more in the future as vacant land available for development contracts, is the redevelopment of infill pockets like this within more mature areas of the City. The General Plan recognizes the increasing importance of infill areas: “Infill development will become more significant, and revitalization will become a major focus of activity in the community.” (p. 37) Because the 1.16 DU/AC density requested is within the 1.25 allowed by the R1-35 one-per-acre district under the PRD, no General Plan Amendment is required, as the General Plan states in its description of Rural Neighborhoods; densities are “usually one house per one acre (or more) of land.” (Emphasis Added.)

This request for zoning addresses a particularly challenging infill pocket area. The approximately 6.02± acre property southeast of the Cattletrack and Lincoln intersection is characterized by a combination of vacant, aging and underutilized properties. It is an area in need of investment but facing substantial impediments to redevelopment with the existing R1-43 and R1-35 zoning.

Because Cattletrack is highly traveled for its street classification and width, fronting homes on Cattletrack makes them obviously less desirable. In addition, the vacant and deteriorating properties in this infill area create major disincentives for piecemeal acre lot development. Because of the impacts to the properties fronting on Cattletrack, homes there cannot offer the quiet, low traffic, rural, acre lot residential experience like the subdivision to the immediate west. Homebuyers want the feel of being within a community not simply in a home lined up with a row of other homes fronting a highly traveled street. Without a change in zoning of this area, it is likely to remain vacant, continue to deteriorate and detract from the value of surrounding properties to the north, west and south.

Providing appropriate transitional and buffering development on the heavily traveled roadway edges of neighborhoods in Scottsdale has proven essential in stabilizing adjacent interior residential neighborhoods. This stabilization of “edges” has resulted in reinvestment that eliminates deterioration and assemblages within the adjacent interior residential neighborhoods. As edges are protected and as homeowners invest in interior residential properties, the increased

Rezoning Project Narrative

Cattletrack and Lincoln

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single family values make the homes more desirable and too costly to assemble for rezoning. This stabilizing and preserving influence of buffering roadway edge development has been experienced along Shea Boulevard, the Hayden – 84th Street area, for example, along Scottsdale and Thomas Roads and other major arterials. In these areas, the adjacent interior residential neighborhoods have been strengthened by appropriate protection of the edges, have attracted reinvestment in their older homes, have experienced increased property values and have not been rezoned to match the edge uses as some feared they might have been.

The proposed rezoning would allow this unique infill pocket to develop with compatible rural styled homes on slightly smaller lots that would not have to front onto Cattletrack or Lincoln without amending the General Plan. The reinvestment in the area in these new homes at a highly desirable, in-town location would strengthen and protect the adjacent single family residential neighborhood, enhance surrounding property values and prevent the deterioration and lower values which are the primary causes of assemblage resulting in rezoning requests.

Site Plan

This request for R1-35 PRD zoning on the 6.02± acre parcel at the southwest corner of Cattletrack and Lincoln will allow for the development of a unique rural character subdivision to include housing styles and designs that reflect a rural and diverse character similar to the adjacent SuCasa subdivision to the west. The new subdivision would provide a stabilizing transition from the higher density housing product to the north to the larger lot single-family homes to the south and west. It has been redesigned with only four homes next to the adjacent five homes in Su Casa. In addition, one-story low profile homes are proposed for this residential community to reflect the adjacent rural residential context to the south and west. The proposed plan meets the purposes of the PRD District, which, according to the Scottsdale Zoning Ordinance, includes imaginative and innovative site planning, permitting greater flexibility in design of residential neighborhoods and enabling the development of parcels that would be difficult to develop under conventional zoning and subdivision regulations and development standards.

The site plan has been specifically designed to integrate the proposed residential community into its rural context. The creative use of retention areas to provide visually open corners and allow views into the community avoids the totally walled-in feeling typical with many infill projects. Instead of internalizing the open space as solely an amenity for the seven homes themselves, the innovative site plan externalizes the open space making it an amenity for the entire neighborhood. The innovative site plan is internally oriented creating quiet and safe residential entry drives, and also protecting the privacy of residents while maintaining the rural character along Cattletrack. The streetscape along Cattletrack will include desert landscaping consistent with the surrounding residential areas and an undulating theme wall designed with a rural character along portions of Lincoln and Cattletrack. The proposed open space amenities incorporate a passive play area and a pedestrian pathway connection linking residents with the Indian Bend Wash and the canal open space corridor east of Cattletrack. The link to the recreational activities such as walking, jogging and bicycling will make the proximity to the

Rezoning Project Narrative

Cattletrack and Lincoln

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Indian Bend Wash trail system a very desirable amenity for residents in the new subdivision. The 1) innovative site plan; 2) provision of common open space including a pathway connection to the Indian Bend Wash trail system; 3) interior amenities including the passive play areas and pathway connection to the Wash; and 4) substantial public benefit in preserving the rural character and providing efficient circulation with only two entry drives on Cattletrack are the PRD factors incorporated with this subdivision design, which allow for the minimal density increase from the R1-35 district's 1.05 base density to the 1.16 proposed under the requested R1-35 PRD. Amended Development Standards have been used to tailor this difficult infill site to its unique setting and create amenities that could not otherwise be provided.

The proposed subdivision design has two entry drives off of Cattletrack which eliminates multiple driveways along this minor collector frontage. The subdivision consists of 7 single-family lots ranging from approximately 25,000 s.f. to 39,000 s.f. with an average of 31,500 s.f. to be constructed within the R1-35 PRD zoning district with its Amended Development Standards. On-lot retention is provided in the northeast and southeast corners of the project and has been designed to function as an open space amenity.

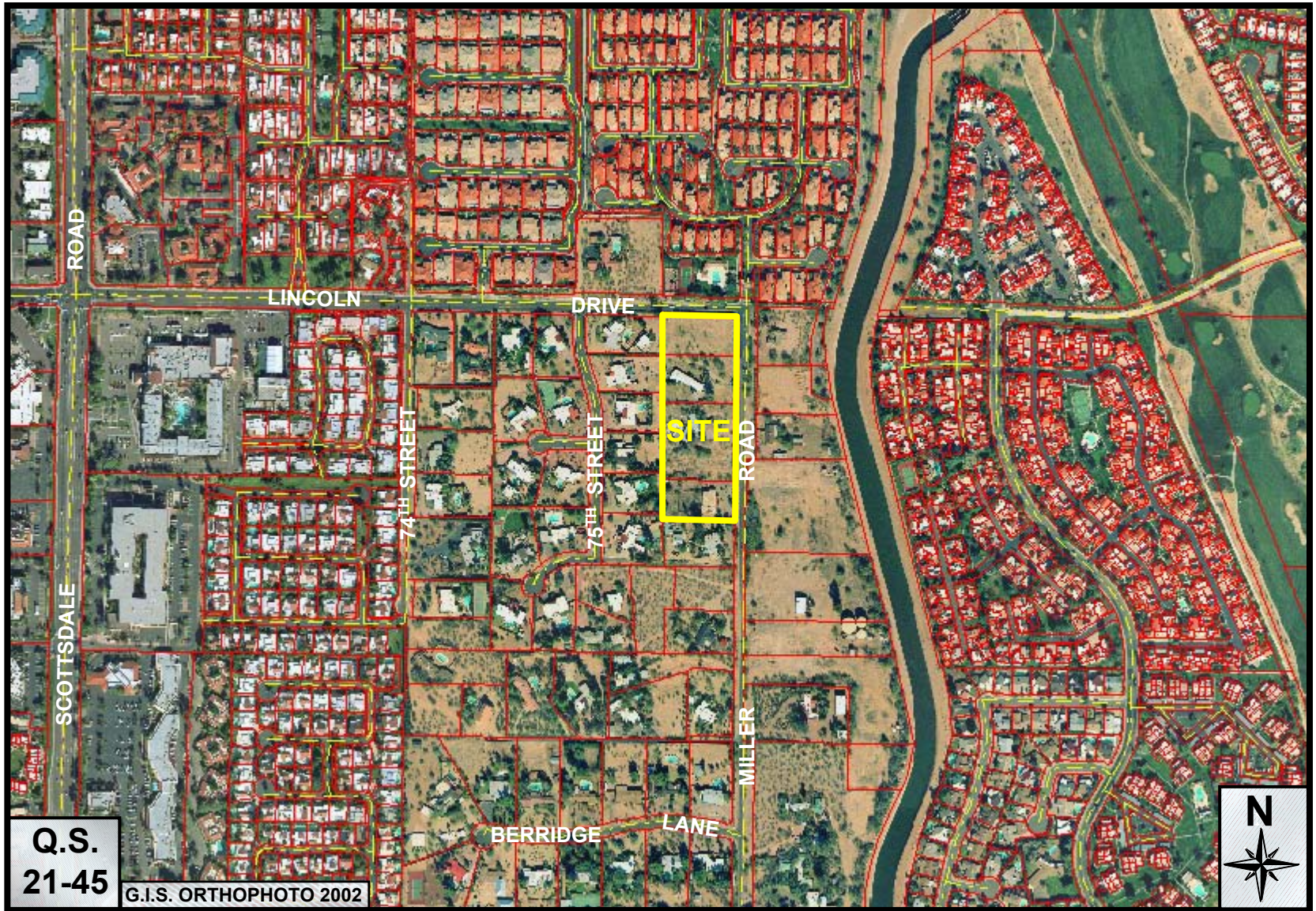
Amended Standards

R1-35

Development Standard	Ordinance Requirement	Proposed Amendment	Proposed Reduction
Minimum Lot Size	35,000 s.f.	25,000 s.f.	29%
Minimum Lot Width	135'	100'	25%
Flag Lot	--	20'	--
Minimum Front Yard Setback	40'	25'	37%
Minimum Rear Yard Setback	35'	25'/35'	19%
Minimum Side Yard Setback	15'	15'	N.C.

PRD Perimeter Setback Requirements

Development Standard	R1-35 Requirement
Minimum Front Yard Setback	40'
Minimum Rear Yard Setback	35'
Minimum Side Yard Setback	15'
Applicable Location	West/ South property lines



Cattletrack Ranch

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ATTACHMENT #2

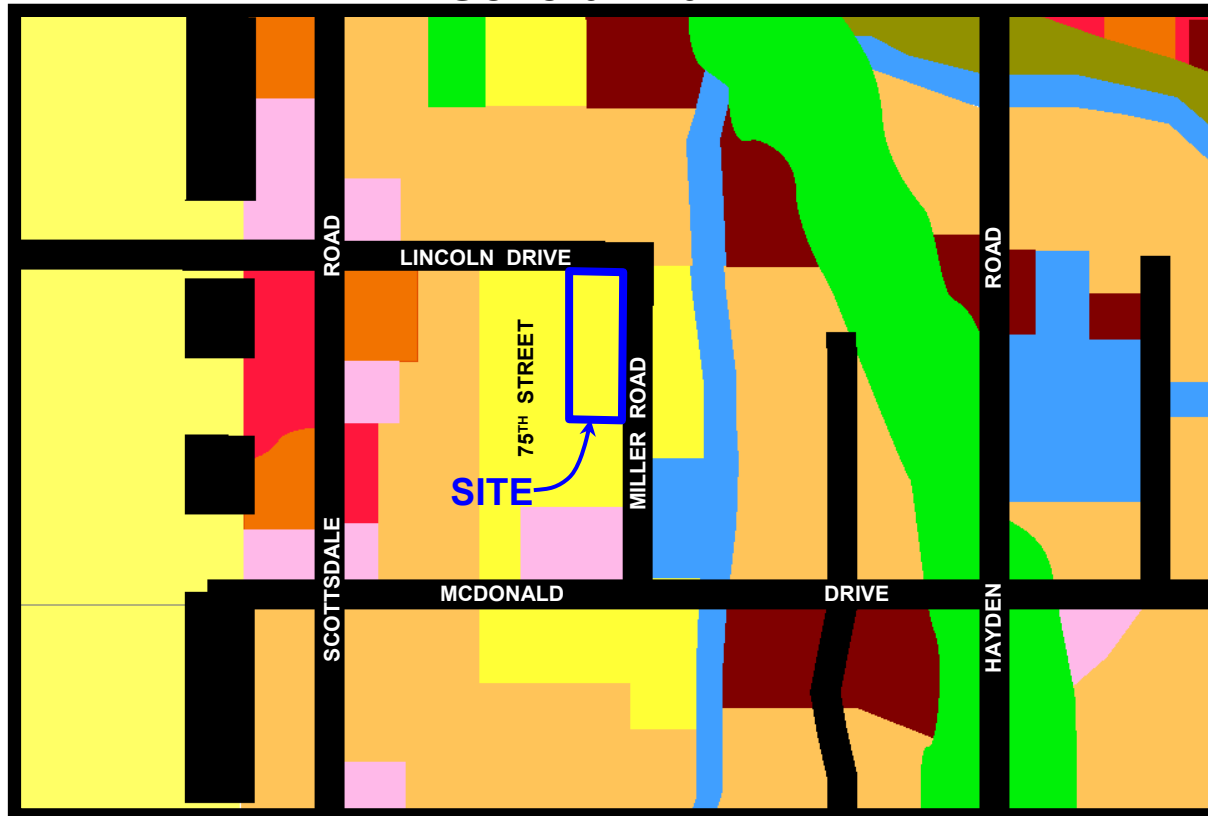


Cattletrack Ranch

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ATTACHMENT #2A

General Plan

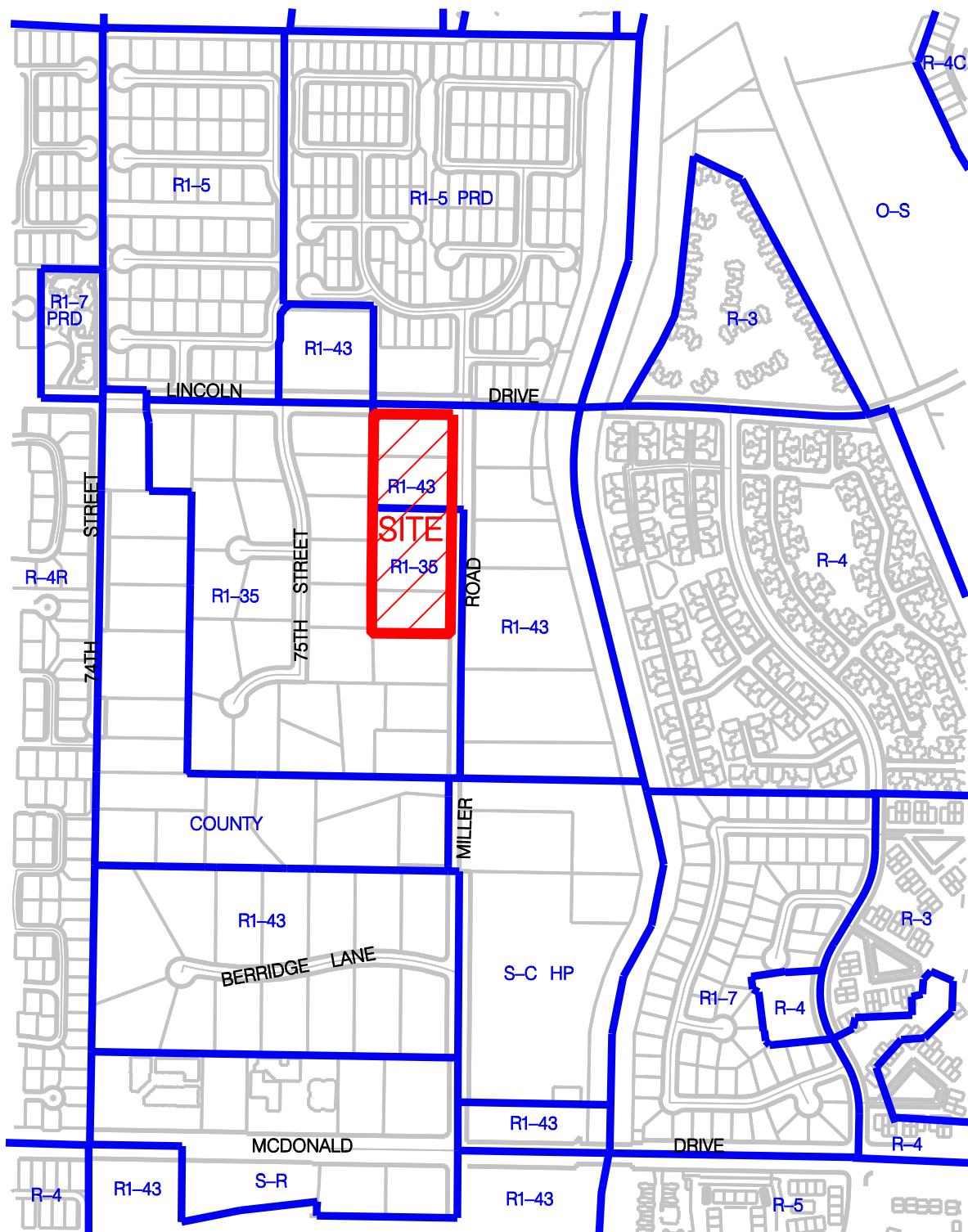


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|---|--|
| Rural Neighborhoods | Commercial |
| Suburban Neighborhoods | Office |
| Urban Neighborhoods | Employment |
| Mixed-Use Neighborhoods | Natural Open Space |
| Resorts/Tourism | Developed Open Space (Parks) |
| Shea Corridor | Developed Open Space (Golf Courses) |
| Mayo Support District | Cultural/Institutional or Public Use |
| Regional Use District | State Trust Lands under State Land Commissioner's Order #078-2001/2002 |
| McDowell Sonoran Preserve (as of 4/2002) | |
| Recommended Study Boundary of the McDowell Sonoran Preserve | |
| City Boundary | Location not yet determined |



12-ZN-2003
ATTACHMENT #3

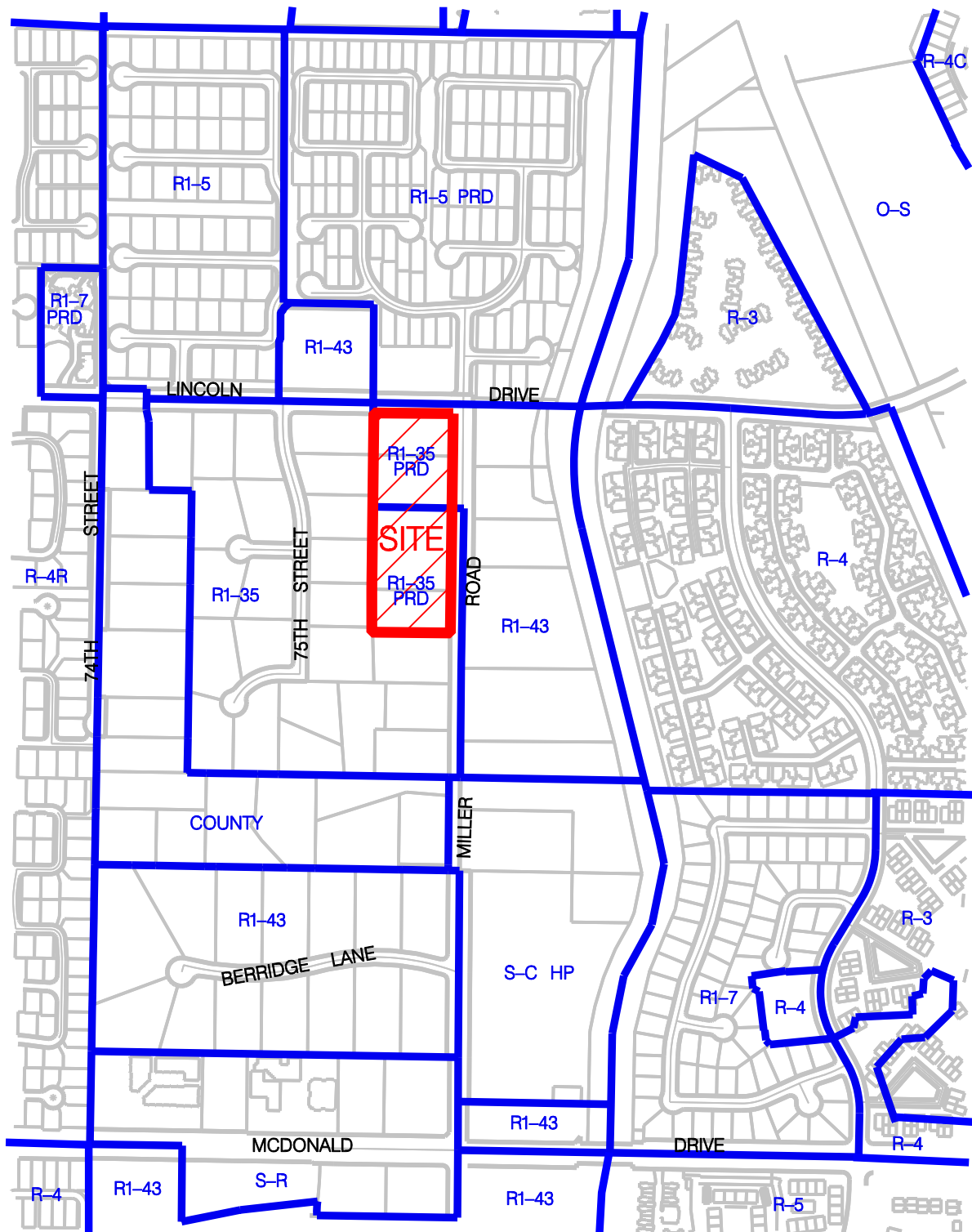
Adopted by City Council October 30, 2001
Ratified by Scottsdale voters March 12, 2002
revised to show McDowell Sonoran Preserve as of April 2, 2002



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ATTACHMENT #4





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ATTACHMENT #4A



STIPULATIONS FOR CASE 12-ZN-2003

PLANNING/ DEVELOPMENT

1. CONFORMANCE TO SITE PLAN. Development shall conform with the site plan submitted by *Tornow Design Associates and dated 10/13/2003*. These stipulations take precedence over the above-referenced site plan. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.
2. MAXIMUM DWELLING UNITS/MAXIMUM DENSITY. The number of dwelling units on the site shall not exceed *seven (7)* without subsequent public hearings before the Planning Commission and City Council.
3. BUILDING HEIGHT LIMITATIONS. No building on the site shall exceed 24 feet in height (one story). There shall be no outside stairs or rooftop decks, patios, or balconies.
4. SETBACKS. There shall be a minimum thirty five (35) foot building setback from the west and south perimeter property lines.
5. CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS. Development shall conform with the amended development standards shown in Attachment #7 of the report. Any change to the development standards shall be subject to subsequent public hearings before the Planning Commission and City Council.
6. PERIMETER WALL DESIGN. With the Development Review Board submittal, the applicant shall submit a detailed wall plan demonstrating how the perimeter walls will be minimized by:
 - a. Providing a minimum of ten (10) foot wide setback from the perimeter wall to the street right-way-line, with an average thirty (30) foot wide setback;
 - b. Landscaping between the streets and the perimeter walls,
 - c. Meandering the perimeter walls;
 - d. Limiting the size of the perimeter walls (height and length); and
 - e. Providing an overall perimeter wall design compatible with the surrounding area.

CIRCULATION

1. STREET CONSTRUCTION. Before issuance of any certificate of occupancy for the site, the developer shall dedicate the following right-of-way and construct the following street improvements, in conformance with the Design Standards and Policies Manual:

Street Name/Type	Dedications	Improvements	Notes
Lincoln / Minor Collector	existing	Half Street	a.
Miller (Cattletrack) Minor Collector	existing	Half Street	a.
Internal streets / local residential	access easements (joint driveways)	See note b. below	b.

- a. The developer shall complete the half street for both Lincoln Drive and Miller Road (Cattletrack) along the site frontage. The half street improvements shall consist of additional pavement as necessary to provide a minimum twelve-foot wide travel lane and ribbon curb. The developer shall provide a minimum 8-foot wide stabilized decomposed granite pedestrian/bicycle path along the south side of Lincoln Drive and the west side of Miller

(Cattletrack) Road.

- b. The developer shall provide a minimum pavement width of 20 feet with a minimum 5-foot wide stabilized decomposed granite shoulder/sidewalk. Pavement and shoulder widths and turnaround requirements shall be subject to approval by the City Transportation Dept. and Rural Metro. Pavement and/or paver color shall be subject to approval by the Development Review Board.
2. ACCESS RESTRICTIONS. Before issuance of any certificate of occupancy for the site, the developer shall dedicate the necessary right-of-way, as determined by city staff, and construct the following access to the site. Access to the site shall conform to the following restrictions (distances measured to the driveway or street centerlines):
 - a. Miller (Cattletrack) - The developer shall dedicate a one-foot wide vehicular non-access easement on this street except at the approved street entrances.
 - b. Lincoln - There will be no site driveways onto Lincoln. The developer shall dedicate a one-foot wide vehicular non-access easement on this street.
 - c. Miller (Cattletrack) - There shall be a maximum of two site driveways from Cattletrack. The northern street intersection shall be located a minimum distance of 200 feet south of Lincoln Drive, or otherwise determined by the City Transportation Dept.

ADDITIONAL INFORMATION FOR CASE 12-ZN-2003

PLANNING/DEVELOPMENT

1. **DENSITY CONTINGENCIES.** The approved density for each parcel may be decreased due to drainage issues and other site planning concerns which will need to be resolved at the time of preliminary plat or site plan approval. Appropriate design solutions to these constraints may preclude achievement of the proposed units or density on any or all parcels.
2. **FINAL LOT LOCATION.** The specific location of each lot shall be subject to Development Review Board approval.
3. **DEVELOPMENT REVIEW BOARD.** The City Council directs the Development Review Board's attention to the perimeter wall location and design, landscaping in the open space provided along the streets, and pavement/paver color in the joint driveways.
4. **NOTICE TO PROSPECTIVE BUYERS.** The developer shall give the following information in writing to all prospective buyers of lots on the site:
 - a. The development's private streets/joint driveways shall not be owned or maintained by the city.
 - b. The development's open space/common areas shall not be owned or maintained by the city.
5. **NATIVE PLANT PRESERVATION.** The owner shall secure a native plant permit as defined in the Scottsdale Revised Code for each parcel. City staff will work with the owner to designate the extent of the survey required within large areas of proposed undisturbed open space. Where excess plant material is anticipated, those plants shall be offered to the public at no cost to the owner in accordance with state law and permit procedure or may be offered for sale.

ENGINEERING

1. **RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE.** The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the city to provide any of these improvements.
2. **FEES.** The construction of water and sewer facilities necessary to serve the site shall not be in-lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.
3. **STREET CONSTRUCTION STANDARDS.** The streets for the site shall be designed and constructed to the standards in the Design Standards and Policies Manual.
4. **CITY CONTROL OF ACCESS.** The city retains the right to modify or void access within city right-of-way. The city's responsibility to promote safe conditions for the traveling public takes precedence over the stipulations above.

DRAINAGE AND FLOOD CONTROL

1. PRELIMINARY DRAINAGE REPORT. With the Development Review Board submittal, the developer shall submit a preliminary drainage report and plan subject to city staff approval. The preliminary report and plan shall conform to the Design Standards and Policies Manual - Drainage Report Preparation. In addition, the preliminary drainage report and plan shall:
 - a. Identify all major wash corridors entering and exiting the site, and calculate the peak discharge (100-yr, 6-hr storm event) for a pre- versus post-development discharge comparison of ALL washes which exit the property.
 - b. Determine easement dimensions necessary to accommodate design discharges.
 - c. Demonstrate how the storm water storage requirement is satisfied, indicating the location, volume and drainage area of all storage.
 - d. Include flood zone information to establish the basis for determining finish floor elevations in conformance with the Scottsdale Revised Code.
 - e. Include a complete description of requirements relating to project phasing.
2. FINAL DRAINAGE REPORT. With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a final drainage report and plan subject to city staff approval. The final drainage report and plan shall conform to the Design Standards and Policies Manual – Drainage Report and Preparation. In addition, the final drainage report and plan shall:
3. STORM WATER STORAGE REQUIREMENT. Before improvement plan approval, the developer shall submit a final drainage report and plan which calculates the storm water storage volume required, V_r , and the volume provided, V_p , using the 100-year, 2-hour storm event.
4. STORM WATER STORAGE EASEMENTS. With the Development Review Board submittal, the developer shall submit a site plan subject to city staff approval. The site plan shall include and identify tracts with easements dedicated for the purposes of storm water storage, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual.
5. DRAINAGE EASEMENTS. Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all drainage easements necessary to serve the site.

VERIFICATION OF COMPLIANCE

1. CONDITION FOR ISSUANCE OF GRADING & DRAINAGE PERMIT. Before the issuance of a Grading & Drainage Permit:
 - a. The developer shall certify to the Project Quality/Compliance Division, that it has retained an Inspecting Engineer by completing Part I (Project Information) and Part II (Owner's Notification of Special Inspection) of the Certificate of Special Inspection of Drainage Facilities (CSIDF); and,
 - b. The Inspecting Engineer shall seal, sign and date Part III (Certificate of Responsibility) of the CSIDF.
2. CONDITION FOR ISSUANCE OF CERTIFICATE OF OCCUPANCY AND/OR LETTER OF ACCEPTANCE. Before the issuance of a Certificate of Occupancy and/or a Letter of Acceptance:

- a. The Inspecting Engineer shall seal, sign and date the Certificate of Compliance form.
 - b. The developer shall submit all required Special Inspection Checklists and the completed Certificate of Compliance form to the Inspection Services Division. The Certificate of Compliance form shall be sealed, signed and dated by the Inspecting Engineer, and shall be attached to all required Special Inspection Checklists completed by the Inspecting Engineer.
3. AS-BUILT PLANS. City staff may at any time request the developer to submit As-built plans to the Inspection Services Division. As-built plans shall be certified in writing by a registered professional civil engineer, using as-built data from a registered land surveyor. As-built plans for drainage facilities and structures shall include, but are not limited to, streets, lot grading, storm drain pipe, valley gutters, curb and gutter, flood walls, culverts, inlet and outlet structures, dams, berms, lined and unlined open channels, storm water storage basins and underground storm water storage tanks, bridges as determined by city staff.

WATER

BASIS OF DESIGN REPORT (WATER). The water supply service for this property is from the town of Paradise Valley, and the sewer service is through the City of Scottsdale. The applicant is responsible for new water and sewer infrastructure to service the site, and would extend existing lines in the adjacent streets.

1. Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a basis of design report and plan subject to Water Resources Department approval. The basis of design report shall conform to the Design Standards and Policies Manual. In addition, the basis of design report and plan shall:
 - a. Identify the location, size, condition and availability of existing water lines and water related facilities such as water valves, water services, fire hydrants, back-flow prevention structures, etc.
 - b. Identify the timing of and parties responsible for construction of all water facilities.
 - c. Include a complete description of requirements relating to project phasing.
2. APPROVED BASIS OF DESIGN REPORT. Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall have obtained approval of the Basis of Design Report.
3. NEW WATER FACILITIES. Before the issuance of Letters of Acceptance by the Inspection Services Division, the developer shall provide all water lines and water related facilities necessary to serve the site. Water line and water related facilities shall conform to the city Water System Master Plan.
4. WATERLINE EASEMENTS. Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code the Design Standards and Policies Manual, all water easements necessary to serve the site.

WASTEWATER

1. BASIS OF DESIGN REPORT (SANITARY SEWER).). Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a basis of design report and plan subject to Water Resources Department approval. The basis of design report shall be in conformance with the Design Standards and Policies Manual. In addition, the basis of design report and plan shall:

- a. Identify the location of, the size, condition and availability of existing sanitary sewer lines and wastewater related facilities.
 - b. Identify the timing of and parties responsible for construction of all sanitary sewer facilities.
 - c. Include a complete description of requirements relating to project phasing.
2. APPROVED BASIS OF DESIGN REPORT. Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall have obtained approval of the Basis of Design Report.
3. NEW WASTEWATER FACILITIES. Before the issuance of Letters of Acceptance by the Inspection Services Division, the developer shall provide all sanitary sewer lines and wastewater related facilities necessary to serve the site. Sanitary sewer lines and wastewater related facilities shall conform to the city Wastewater System Master Plan.
4. SANITARY SEWER EASEMENTS. Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all sewer easements necessary to serve the site.

OTHER REQUIREMENTS

1. DUST CONTROL PERMITS. Before commencing grading on sites 1/10 acre or larger, the developer shall have obtained a Dust Control Permit (earth moving equipment permit) from Maricopa County Division of Air Pollution Control. Call the county 602-507-6727 for fees and application information.
2. UTILITY CONFLICT COORDINATION. With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a signed No Conflict form (not required for city owned utilities) from every affected utility company.
3. ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIREMENTS (ADEQ). The developer shall be responsible for conformance with ADEQ regulations and requirements for submittals, approvals, and notifications. The developer shall demonstrate compliance with Engineering Bulletin #10 Guidelines for the Construction of Water Systems, and Engineering Bulletin #11 Minimum Requirements for Design, Submission of Plans, and Specifications of Sewerage Works, published by the ADEQ. In addition:
 - a. Before approval of final improvement plans by the Project Quality/Compliance Division, the developer shall submit a cover sheet for the final improvement plans with a completed signature and date of approval from the Maricopa County Environmental Services Department (MCESD).
 - b. Before issuance of encroachment permits by city staff, the developer shall provide evidence to city staff that a Certificate of Approval to Construct Water and/or Wastewater Systems has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
 - c. Before commencing construction, the developer shall submit evidence to city staff that Notification of Starting Construction has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
 - d. Before acceptance of improvements by the city Inspection Services Division, the developer shall submit a Certificate of Approval of Construction signed by the MCESD and a copy of the As-Built drawings.
 - (1). Before issuance of Letters of Acceptance by the city Inspection Services Division, the developer shall:

- (2). Provide to the MCESD, As-Built drawings for the water and/or sanitary sewer lines and all related facilities, subject to approval by the MCESD staff, and to city staff, a copy of the approved As-Built drawings and/or a Certification of As-Built, as issued by the MCESD.
- (3). Provide to the MCESD a copy of the Engineers Certificate of Completion with all test results, analysis results, and calculations, as indicated on the form.
- (4). Provide to the MCESD a copy of the Request for Certificate of Approval of Construction of water and/or sanitary sewer lines with all appropriate quantities.
- (5). Provide the city Inspection Services Division a copy of the Certificate of Approval of Construction, as issued by the MCESD.

DEVELOPMENT STANDARDS

SUBDIVISION NAME: Cattletrack Ranch
CASE #: 12-ZN-2003

ZONING R1-35/PRD

	ORDINANCE REQUIREMENTS	AMENDED STANDARDS
A. MIN. LOT AREA	35,000sf	25,000sf
B. MIN. LOT WIDTH		
1. Standard Lot	135'	100'
2. Flag Lot		20'
C. MAXIMUM BUILDING HEIGHT	30'	24'
D. MIN. YARD SETBACKS		
1. FRONT YARD		
• FRONT (to face of building)	40'	25'
• FRONT (to face of garage)	40'	25'
• FRONT (corner lot, side street)	40'	25'
• FRONT (corner lot, adjacent to key lot, side street)	40'	25'
• FRONT (double frontage)	40'	25'
2. SIDE YARD		
• Minimum	15'	15'
• Minimum aggregate		
3. REAR YARD		
• Standard Depth	35'	25' 35' along west and south perimeter property lines
• Min. Depth (% of difference which can be occupied)		
E. DISTANCE BETWEEN BUILDINGS (MIN)		
1. Accessory & Main	10'	10'
2. Main Buildings/Adjacent Lots	30'	30'
F. MAXIMUM WALL HEIGHT		
1. FRONT	3'	3'
2. SIDE	8'	8'
3. REAR	8'	8'
4. Corner side not next to key lot	8' on PL	8' on PL
5. Corral fence height (on prop line)	6' on PL	6' on PL
G. DEVELOPMENT PERIMETER SETBACKS		35' along west and south perimeter property lines
H. APPLICABLE ZONING CASES		12-ZN-2003
I. NOTES & EXCEPTIONS		

Amended Development Standards 12-ZN-2003

Sec. 5.200. (R1-35) SINGLE-FAMILY RESIDENTIAL DISTRICT.

Sec. 5.204. Property development standards.

The following property development standards shall apply to all land and buildings in the R1-35 district:

A. *Lot area.*

1. Each lot shall have a minimum lot area of not less than ~~thirty-five thousand (35,000)~~ **TWENTY FIVE (25,000)** square feet.

B. *Lot dimension.*

1. Width. All lots shall have a minimum width of one hundred and ~~thirty-five (135)~~ **(100)** feet.
2. **FLAG LOTS. FLAG LOTS SHALL HAVE A MINIMUM WIDTH OF TWENTY (20) FEET.**

C. *Density.* There shall not be more than one (1) single-family dwelling unit on any one (1) lot.

D. *Building height.* No building shall exceed ~~thirty (30)~~ **TWENTY FOUR (24)** feet in height, except as provided in article VII.

E. *Yards.*

1. Front Yard.

- a. There shall be a front yard having a depth of not less than ~~forty (40)~~ **TWENTY FIVE (25)** feet.
- b. Where lots have a double frontage on two (2) streets, the required front yard of ~~forty (40)~~ **TWENTY FIVE (25)** feet shall be provided on both streets.
- c. On a corner lot, the required front yard of ~~forty (40)~~ **TWENTY FIVE (25)** feet shall be provided on each street. No accessory buildings shall be constructed in a front yard. *Exception:* On a corner lot which does not abut a key lot or an alley adjacent to a key lot, accessory buildings may be constructed in the yard facing the side street.

2. Side Yard. There shall be side yards of not less than fifteen (15) feet on each side of a building, **EXCEPT A THIRTY FIVE (35) FOOT SETBACK SHALL BE PROVIDED ALONG THE WEST AND SOUTH PERIMETER PROPERTY LINES ABUTTING AN EXISTING R1-35 DISTRICT.**
3. Rear Yard. There shall be a rear yard having a depth of not less than ~~thirty-five (35)~~ **TWENTY FIVE (25) feet, EXCEPT A THIRTY FIVE (35) FOOT SETBACK SHALL BE PROVIDED ALONG THE WEST AND SOUTH PERIMETER PROPERTY LINES ABUTTING AN EXISTING R1-35 DISTRICT.**
4. Other requirements and exceptions as specified in article VII.

F. *Distance between buildings.*

1. There shall not be less than ten (10) feet between an accessory building and the main building.
2. The minimum distance between main buildings on adjacent lots shall be not less than thirty (30) feet.

G. *Buildings, walls, fences and landscaping.* Walls, fences and hedges not to exceed eight (8) feet in height shall be permitted on the property line or within the required side or rear yard. Walls, fences and hedges shall not exceed three (3) feet in height on the front property line or within the required front yard, except as provided in article VII. The height of the wall or fence is measured from the inside of the enclosure. *Exception:* Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences and hedges in the yard facing the side street need only conform to the side yard requirements.

H. *Access.* All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

I. *Corral.* Corral not to exceed six (6) feet in height shall be permitted on the property line or within the required front, side or rear yard.

DEVELOPMENT STANDARDS

SUBDIVISION NAME: Cattletrack Ranch

CASE #: 12-ZN-2003

ZONING R1-35/PRD

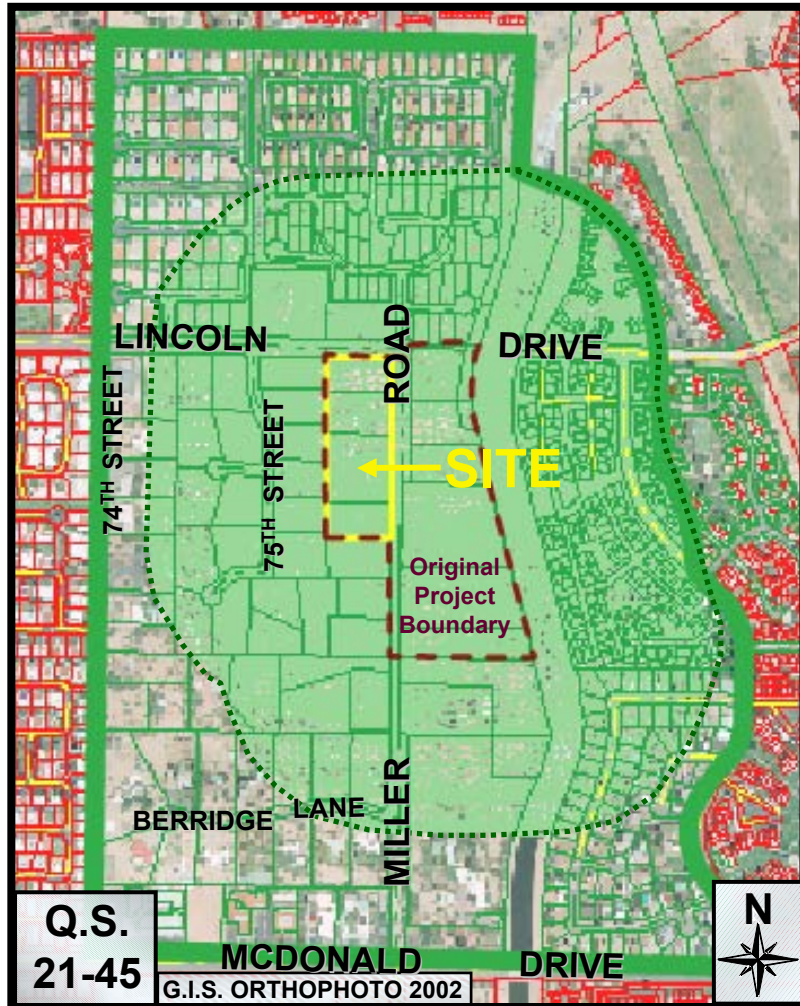
	ORDINANCE REQUIREMENTS	AMENDED STANDARDS
A. MIN. LOT AREA	35,000sf	25,000sf
A. MIN. LOT WIDTH		
1. Standard Lot	135'	100'
2. Flag Lot		20'
C. MAXIMUM BUILDING HEIGHT	30'	24'
D. MIN. YARD SETBACKS		
1. FRONT YARD		
• FRONT (to face of building)	40'	25'
• FRONT (to face of garage)	40'	25'
• FRONT (corner lot, side street)	40'	25'
• FRONT (corner lot, adjacent to key lot, side street)	40'	25'
• FRONT (double frontage)	40'	25'
2. SIDE YARD		
• Minimum	15'	15'
• Minimum aggregate		
3. REAR YARD		
• Standard Depth	35'	25' 35' along west and south perimeter property lines
• Min. Depth (% of difference which can be occupied)		
E. DISTANCE BETWEEN BUILDINGS (MIN)		
1. Accessory & Main	10'	10'
2. Main Buildings/Adjacent Lots	30'	30'
F. MAXIMUM WALL HEIGHT		
1. FRONT	3'	3'
2. SIDE	8'	8'
3. REAR	8'	8'
4. Corner side not next to key lot	8' on PL	8' on PL
5. Corral fence height (on prop line)	6' on PL	6' on PL
G. DEVELOPMENT PERIMETER SETBACKS		35' along west and south perimeter property lines
H. APPLICABLE ZONING CASES		12-ZN-2003
I. NOTES & EXCEPTIONS		

12-ZN-2003
Cattletrack Ranch

Attachment #8. Citizen Involvement

The above attachment is on file at the City of
Scottsdale Current Planning office,
7447 E Indian School Road, Suite 105.

City Notifications – Mailing List Selection Map



Map Legend



Site Boundary



Properties within 750-feet



Extended Selection
(Additional properties notified)

Additional Notifications:

- General Plan Notification List
- Scottsdale Unified School District
- Interested Parties List
- 7600 Lincoln HOA
- Arroyo Verde HOA
- Lincoln Place HOA
- Scottsdale Colony HOA

Cattletrack Ranch

12-ZN-2003

ATTACHMENT # 8A

OPENING STATEMENT

COMMISSIONER HEITEL read the opening statement, which describes the role of the Planning Commission and the procedures used in conducting this meeting.

REVIEW OF MINUTES OF PAST MEETINGS

June 25, 2003
July 9, 2003

MR. GRANT stated the Commission does not need to act on the minutes. If the Commission has any corrections they will be corrected and presented to the Commission at the next meeting for approval.

(No corrections to the minutes were requested.)

REGULAR AGENDA

2-GP-2003 (Cattletrack Ranch) request by Earl Curley & Lagarde P C, applicant, Diann Henderson & Alexander Zink, owners, for a General Plan Amendment from Rural Neighborhoods to Suburban Neighborhoods and from Rural Character to Suburban Character on a 5.5 +/- acre parcel located at the southwest corner of Cattletrack and Lincoln Drive.

MS. HUISH presented the General Plan Amendment portion of the case in fulfillment of the State legislation for remote hearings. The second Planning Commission hearing for this application is scheduled for September 10, 2003. There will be no Commission action taken on this item.

MICHELLE HAMMOND, Earl, Curley & Lagarde, 3101 N. Central Avenue, Phoenix, AZ, stated she is here on behalf of Lynne Lagarde who is on vacation. She stated they are representing Diann Henderson and Alexander Zink on this property. The General Plan amendment is being requested so that Diann Henderson can develop this piece along with Alex Zink's property. They would like to create a quality residential community on this problematic corner. She further stated the corner of Cattle Track and Lincoln is heavily traveled and therefore has not attracted investment in the neighborhood.

Ms. Hammond stated they agree with a lot of the points in the staff outline. She discussed the definition of suburban character as identified in the staff report stating they agree with all of the points and felt this property has all those points.

Ms. Hammond reviewed the plans for this property and discussed how the plan would benefit the area. She remarked they agree with staff that the existing rural neighborhood should be protected from higher density. They felt strongly that this application is achieving that goal.

Ms. Hammond concluded they agree this area is unique and should maintain its character. Several elements effect the stability of the neighborhood including the traffic, the density and nearby commercial properties. They have to look at the bigger picture.

APPROVED

All of these conditions led to the request before them tonight. She stated that Diann and Alex have not arrived at this request hastily and Ms. Henderson has lived adjacent to this property for over 30 years and has seen the slow decline of this piece. The edge needs to be addressed to protect the neighborhood. She added they felt this application is an important part of providing stability to the neighborhood.

COMMISSIONER NELSEN requested the Applicant address the concern stated in the petition. He also requested why they felt that this property failed to attract investment. He inquired if the reason investment on this property was unattractive was because of the inflated price of the property. Ms. Hammond stated the concern in the petition regarding the CC&R issue has been dealt with. She further stated the reason the property has failed one there is sizable amount of traffic on Lincoln and Cattletrack. The other reason is that there is nearby commercial and there is a lot of cut through traffic. There are a variety of different residential densities and all of the things have eroded this edge. They would like to sew it up, and make it something quality that would present opportunity for the longevity of this neighborhood. Commissioner Nelsen asked again if they don't feel it is because of the price of the property why there are no investors. Ms. Hammond replied in the negative.

COMMISSIONER HEITEL requested information on transition inquiring where the edge is. He stated it would seem the edge is in the middle. Ms. Hammond stated the edge condition they are referring to is the property to the north, the property to the east, across the canal, and further down Lincoln. They have to spread out to look at the edge condition. She further stated that if they drive along Cattletrack they would see deteriorating properties on both sides that need to be addressed.

Commissioner Heitel inquired if they were to approve this General Plan Amendment to increase the density on the subject properties they would then be creating movement to the east to further increase the density across and continue this transition and further erode the existing neighborhood. Ms. Hammond stated it is their opinion that this edge is already eroded.

Commissioner Heitel inquired if this could be considered self-inflicted erosion. Ms. Hammond replied in the negative.

COMMISSIONER SCHWARTZ stated for the record, he looked at these properties sometime ago and spoke with Mr. Zink about his plans to build a house or develop the site. He inquired what happened to those plans.

DIANN HENDERSON stated she owns the 2.5 acres that corner Lincoln and Cattletrack and she got involved when Mr. Zink presented his plans to build homes on the one-acre parcels. She further stated he was proposing to build two-story 7,500 square foot homes and it did not fit into their neighborhood. She reported that she called Mr. Zink and it was her idea to rezone so they could do something charming with that corner and call it Cattletrack Ranch. She further reported that the house on the corner needs to be torn down noting it was built in 1936.

COMMISSIONER BARNETT stated there were other plans for building bigger houses but Ms. Henderson did not like those plans so the reinvestment argument is not valid.

Mr. Barnett asked if there were reinvestment opportunities, just not how she desired. Ms. Henderson replied in the affirmative stating the developers of the properties in the neighborhood wanted to put large homes on the property and she felt it would not fit with their neighborhood and would not maintain the rural character.

Commissioner Barnett stated the other day when he was driving around he noticed on one or two streets to the west there were three new homes going on three one acre lots. He inquired if that would not be considered redevelopment. Ms. Henderson replied in the affirmative. Commissioner Barnett noted that less than a mile away from this property on Lincoln that front onto Lincoln are very large homes that face heavy traffic and don't seem to have a problem with reinvestment. Ms. Henderson stated the problem with the houses on 64th Street on Lincoln the individual homes have put up walls and walled Lincoln and she wants to keep a rural look.

Commissioner Barnett stated their second main argument is traffic noting there are other ways to address traffic such as putting in speed bumps making cu-de-sacs or hard scaping. Ms. Henderson stated the traffic is a big problem and for years, they have wanted to put in speed bumps but that is a difficult process. She discussed some other options that have been explored.

COMMISSIONER SCHWARTZ stated he thought it would be helpful to see a site plan of what is proposed to give them a visual tool to look at.

Commissioner Schwartz stated in response to the issue of large homes on one-acre lots, it would be his preference if he lived in a neighborhood like this to have larger homes because it would increase the value of his home. Ms. Henderson stated she would agree but it does not fit the character of their neighborhood.

Commissioner Schwartz inquired if this site plan has a wall around the perimeter. Ms. Hammond replied there would be a partial wall.

VICE CHAIRMAN STEINBERG stated that with the rezoning they would be allowed eight dwelling units per acre. He inquired if that was their intention. Ms. Hammond replied they are not allowed to go that high. The General Plan designation for suburban is two to eight but they are not allowed to do eight unless they rezone the district. They are proposing R1-18 PRD, which allows two dwelling units.

(VICE CHAIRMAN STEINBERG OPENED PUBLIC TESTIMONY.)

PATRICK CAIMARI, 7442 E. Century Drive in Su Casa, spoke in opposition to this request. He stated he and another neighbor collected the majority of signatures in Su Casa to not change their CC&Rs that clearly stated that the density may not exceed one house per acre. He reported this is the biggest investment in his life and he does not want it changed. All of the neighbors that have lived there for years feel the same way. He further reported that there are million dollar homes right down on Lincoln. He remarked the traffic is getting a little crazy, but that there are measures that can be taken such as blockades to prevent the through traffic. He remarked he felt larger homes being built would increase the value of his home. He further remarked he moved into a rural community and he does not want to see it ruined by becoming denser. He

concluded that he did not think that because one man spent too much on a parcel of land they need to make him good.

DOUG WATTIER, 7502 E. Berridge Lane, spoke in opposition to this request. He stated that everyone who lives in the neighborhood comments on the calm atmosphere and his fear is that if they increase the density it could be like cancer coming into their neighborhood and would expand because the property is valuable. He further stated he felt the reason they could not sell their property is because of the price. He concluded he would like to see the atmosphere of the community maintained.

AMY LOFGREN, 7422 E. Berridge Lane, spoke in opposition to this request. She stated that she and her husband just moved into this neighborhood a week ago and were informed by their neighbors of what was going on. She further stated they spent more on their home than they wanted to because of how special this neighborhood is. They live on 2.4 acres and they would never imagine dividing it up and putting more homes on it for money. It is one of the last great neighborhoods left in Scottsdale.

NILS LOFGREN, 7422 E. Berridge Lane, spoke in opposition to this request. He stated he has been in the Valley nine years, his wife has been here 20 years, and the things they loved about the Valley are gone. He further stated he would agree with the gentleman who referred to density as being a cancer he could not agree more. He noted he travels all around the world and there are very few rural communities left. He concluded they need to preserve the integrity of the few rural pockets that are left in the city.

ALLAN BONE, 7512 E. Berridge Lane, spoke in opposition to this request. He stated he did not know his rural neighborhood needed so much transition and stabilization. He further stated the reason they moved into the neighborhood is because it is a rural setting within a large city. He commented he has heard a lot about not being able to attract investment in the area it seems that working within the confines there is quite a bit that can be done. He further stated he felt that by adding density it would only add to the traffic problems. He remarked he would encourage them to come into their neighborhood and look because it is the last oasis within the city. He concluded he did not think they should change the rules for a few.

LILLIAN LEFFMANN, 7502 E. Berridge Lane, spoke in opposition to this request. She stated regarding the properties to the east between Cattletrack and the canal the argument was raised that this is run down and something needs to be done. Anytime anyone looked at this land to buy it the asking prices was higher than the rest of the properties. She noted lovely houses could be built on the canal and they should not spoil it by using higher densities.

BARBARA MORGENSTERN, 7426 E. Berridge Lane, spoke in opposition to this request. She stated she has lived in her home for 30 years. She further stated she would agree with everything that has been said. This neighborhood is wonderful and they want to keep it the same. It can be developed beautifully and kept rural without changing the density.

JOHN HINK, 6301 N. 75th Street, stated he comes from a different situation, and he lives adjacent to the property and is neutral about the situation. He further stated his concern is that he does not want a two-story house behind him that looks into this backyard. He would like to see a height restriction and he does not want to see a perimeter wall. He noted that the house behind him has been vacant for two years and has a empty pool and he has asked Mr. Zink to secure the property because it is a hazard.

HARRY JUPIN, 7437 E. Berridge Lane, spoke in opposition to this request. He stated he had several issues with this application and in his opinion it is inappropriate to rezone and grant a General Plan amendment in such a small area of land to benefit a small group of people without considering the negative impact on the surrounding areas. He commented he cannot understand how changing the zoning to increase the density would increase the open space. In addition, they are already talking about the rezoning on Cattletrack for the Ellis property that would increase the traffic. He further stated the traffic is horrific but there are ways to address it.

JOHN THOMAS, 7500 E. Lincoln Drive, spoke in support of this request. He stated his family has lived in their house since 1967 and has seen the area change quite a bit. He further stated he trusts Diann Henderson to make this a good looking project and fit in with the community. He reported he would support the project. He further reported that he felt it would be an improvement to the neighborhood. These old houses need to be torn down and replaced with something new.

(VICE CHAIRMAN STEINBERG CLOSED PUBLIC TESTIMONY.)

VICE CHAIRMAN STEINBERG requested staff to advise the public about the protocol for resolving the traffic issues in this area. Mr. Jones stated these issues could be addressed through the Transportation Department that has staff that handles these types of problems.

COMMISSIONER HEITEL stated he has been though this neighborhood and felt it was a very unique area in the city reminiscent of many areas that have been lost. He further stated he felt it would be reprehensible for the city to participate in diminishing one small pocket left of nice homes that might be functionally obsolescent because they were built in a different era but clearly attractive to a lot of people. He remarked he sees no reason to encourage the further diminution of that area. He further remarked the city does have a neighborhood character process that could help them to define the character of this special neighborhood.

COMMISSIONER NELSEN commented the only thing that he sees wrong with this neighborhood is what has been allowed and encouraged to happen around it. He further commented he would also encourage them to look at seeing if they can get the area designated as a character area noting that some of them might not live to see it done. He reported that he has spent 20 years getting what amounts to an ordinance level character plan. A lot of the comments he has heard are the same comments he has heard from any place fighting for rural character. It is a tough battle. He concluded unless he sees some redeeming community wide benefits to this zoning request because it has some issues.

COMMISSIONER BARNETT stated he would second the comments that have been made. He further stated part of the General Plan was set up in an effort to protect neighborhoods. He remarked he lives in a neighborhood almost identical to this neighborhood and his neighborhood is going through a transition where some of the houses are being fixed up and some houses are being torn down. He further remarked he does not see a reason for this neighborhood to become denser. This is a great neighborhood and a lot of people want to live in this neighborhood. This seems to be more a question of economics and timing on the economics. If they want more money, they can wait around for it. He concluded he does not see any reason to move forward with this process.

COMMISSIONER SCHWARTZ stated he drives this street daily because his office is on 75th Street and McDonald so he understands the issue of traffic. He further stated it is hard to imagine anything else than homes fronting Cattletrack. He remarked there are speed problems in all of the neighborhoods and they need to address that themselves regarding how they can drive safely in their own community. He commented he was always challenged when he looked at this site to see how it fit into the big picture of the surrounding area. When you are developing a piece of property, you have to look from the outside in. He noted he is not opposed to adding a number of units to a property. This plan is not symbolic of what the rest of the community is. He further noted he would hope the applicant would have some further discussion with the neighborhood and he would suggest the applicant spend more time with the neighbors to come up with a win/win for everybody.

VICE CHAIRMAN STEINBERG stated this is an oasis within Scottsdale. He further stated he felt they need to protect their oases. He remarked old is not bad. He further remarked he comes from New York and he use to renovate stuff that people paid millions of dollars for and they wanted it to look as old as possible. He further noted he sees this area as being pristine in the desert. He remarked the traffic issues have to be resolved so he would suggest the citizens' approach the city and see what can be done. He commented he could not support this application. There are other ways to site the homes on Cattletrack so that it is conducive to the value of the real estate. There are other ways to do it other than by increasing the density by two times.

3-GP-2003 (Sheegl/Thomas Property) request by Tornow Design Associates, applicant, Winstar Pro LLC & John Thomas, owners, for a General Plan Amendment from Cultural/Institutional to Employment on a 10 +/- acre parcel located west of Thompson Peak, south of McDowell Mountain Ranch Road.

MS. HUIH presented the General Plan Amendment portion of the case in fulfillment of the State legislation for remote hearings. The second Planning Commission hearing for this application is scheduled for September 10, 2003. There will be no Commission action taken on this item.

JOHN ROONEY, Beus, Gilbert, stated they represent the five of the 10 acres. The five acres that are further to the west. He further stated the proposed amendment is for the Land Use Element from a Cultural/Institutional designation to an Employment designation. The best way to characterize this use is as a buffer zone between some of what is going to happen at WestWorld and its expanded facility. The best way to

